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US SDNY

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Via ECF and Facsimile

**MEMO ENDORSED**

The Honorable P. Kevin Castel  
United States District Court  
Southern District of New York  
Daniel Patrick Moynihan Courthouse  
500 Pearl Street  
New York, New York 10007

Re: *Sullivan v. Barclays PLC et al.*, No. 13-CV-2811

Dear Judge Castel,

Plaintiffs are due to file their consolidated amended complaint tomorrow. See Your Honor's Order dated June 19, 2015 Dkt. 161. As Plaintiffs have previewed in its prior correspondence to the Court, the complaint will contain information that the Barclays Defendants provided to Plaintiffs with the permission of the United States Department of Justice pursuant to the Antitrust Criminal Penalty Enforcement and Reform Act ("ACPERA").

Today, the Department of Justice informed Plaintiffs that it will not object to Plaintiffs' inclusion in the complaint of the information that the Barclays Defendants have provided to Plaintiffs, provided that the complaint is filed under seal and that the Court has signed an order binding the Defendants to confidentiality.

Anticipating that this might be the position of the Department of Justice, Barclays and Plaintiffs negotiated an agreed-upon protective order and jointly submitted it to the Court last Thursday. Dkt. 166.

Plaintiffs respectfully request that the Court enter the proposed protective order and grant Plaintiffs leave to file the complaint under seal after the proposed protective order has been approved by Your Honor. Plaintiffs further request leave to publically file tomorrow a complaint that redacts information provided by Barclays.

Thank you very much.

Respectfully submitted,

*Vincent Briganti*  
Vincent Briganti

August 10, 2015

The position of the DOJ that information provided to it by the defendants in this action may only be included in a complaint against that defendant if the defendant agrees not to further disclose it makes no sense. File redacted complaint by ~~Friday~~ August 14 on the public record and deliver unredacted complaint to Chambers.

By August 25, 2015  
any interested person,

including the DOJ, shall show cause why the unredacted pleading ought not be filed on the public record.

SO ORDERED  
*[Signature]*  
USDC  
8-12-15